

ZONING AND ADJUSTMENT BOARD
June 7, 2010

The Zoning and Adjustment Board (ZAB) of Sumter County, Florida, convened on Monday, June 7, 2010, at 6:30 P.M. with the following members present: Larry Story - Chairman, Dossie Singleton, Nathan Yoder, Richard Cole, Bob Hunt, Ron Berry, Frank Szczepanski, Mike Rosa, Gary Bishop, Bailey Cassels, Brad Sheppard, and Woody Hill.

Member Frank Topping was absent.

Sandy Cassels - Recording Secretary, Brad Cornelius - Planning Manager, and Derrill McAteer - Zoning and Adjustment Board Attorney, were present.

Chairman Larry Story called the meeting to order.

Mr. Hill led the pledge of allegiance and Mr. Hunt led the prayer.

Mr. Story presented the proof of publication for the June 7, 2010, ZAB meeting.

Mr. Cole made a motion to approve the minutes from the May 17, 2010, meeting. Mr. Rosa seconded the motion, and the motion carried.

T2010-0006

Ann Marie and George Evatt, III – Temporary Use Permit for three years to allow a mobile home as a care receiver's residence.

George Evatt, III, applicant, was present and requested a Temporary Use Permit (TUP) for three years to allow a mobile home as a care receiver's residence. There were eight notices sent. Of the eight notices sent, two were returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Cole asked Mr. Evatt who would be receiving care. Mr. Evatt stated his mother would be the one receiving care. Mr. Cornelius explained the TUP is for a mobile home and would require building permits and connection to an approved septic system.

Mr. Cole made a motion to approve the Temporary Use Permit for three years to allow a mobile home for a care receiver's residence. Mr. Yoder seconded the motion, and the motion carried.

T2010-0007

Joan Howerton – Renewal of a Temporary Use Permit for three years to allow a mobile home as a caregiver's residence.

Mr. Story stated the applicant, Ms. Joan Howerton, submitted a letter of withdrawal.

S2010-0004

Northern Trust Bank of Florida – Renewal of ZP2001-0044 – Minor Special Use Permit to allow a cell tower not more than 200' in height.

George Sola, representative for the applicant, was present and requested a renewal of Minor Special Use Permit ZP2001-0044, to allow a cell tower not more than 200' in height. There were two notices sent. Of the two notices sent, two were returned in objection and none were returned in favor. There were no objections from the audience. Mr. Cornelius read the letters of objection into the record.

Mr. Cornelius explained the property that was recently reviewed for a large scale land use amendment and previously had a Special Use Permit (SUP) for cell towers, which were never constructed. A SUP expires after two years if no development has occurred on the property.

Audience member Eddie Harrison explained he is purchasing a parcel with a cell tower located near it and questioned his doctor in regards to the effects on a pacemaker. He stated his doctor informed he should have no problem with the cell tower.

Mr. Cole made a motion to approve the renewal of Minor Special Use Permit ZP2001-0044 to allow a cell tower not more than 200' in height. Mr. Yoder seconded the motion, and the motion carried.

S2010-0005

Northern Trust Bank of Florida – Renewal of ZP2001-0045 – Minor Special Use Permit to allow a cell tower not more than 200' in height.

George Sola, representative for the applicant, was present and requested a renewal of ZP2001-0045, Minor Special Use Permit, to allow a cell tower not more than 200' in height. There were eight notices sent. Of the eight notices sent, two were returned in objection and none were returned in favor. There were no objections from the audience. Mr. Cornelius stated the letters of objection were the same as the previous case (S2010-0004).

Mr. Story stated the applicant was still under oath from the previous case and would not need to be sworn in again. Mr. Story asked Mr. Sola to explain where the towers will be located. Mr. Sola explained one of the towers will be located north of the Coleman Landing Road, near I-75 and the Turnpike. The other one will be located south of the Turnpike where the Turnpike crosses the railroad tracks and the third will be located near I-75 & SR 44.

Mr. Cole made a motion to approve the renewal of Minor Special Use Permit ZP2001-0045 to allow a cell tower not more than 200' in height. Mr. Yoder seconded the motion, and the motion carried.

S2010-0006

Northern Trust Bank of Florida – Renewal of ZP2001-0046 – Minor Special Use Permit to allow a cell tower not more than 200' in height.

George Sola, representative for the applicant, was present and requested a renewal of Minor Special Use Permit ZP2001-0046 to allow a cell tower not more than 200' in height. There were eight notices sent. Of the eight notices sent, two were returned in objection and none were returned in favor. There were no objections from the audience. Mr. Cornelius stated the letters of objection were the same as the previous cases (S2010-0004 & S2010-0005).

Mr. Story stated the applicant was still under oath from the previous cases and would not need to be sworn in again.

Mr. Cole made a motion to approve the renewal of Minor Special Use Permit ZP2001-0046 to allow a cell tower not more than 200' in height. Mr. Yoder seconded the motion, and the motion carried.

R2010-0005**Rosa Lee & Edmond Harrison, III – Rezone 2.30 acres MOL from A1 to RR1 to allow a class “B” mobile home.**

Rosa Lee Harrison, applicant, was present and requested a rezoning on 2.30 acres MOL from A1 to RR1 to allow the placement of a Class “B” mobile home. There were six notices sent. Of the six notices sent, two were returned in favor and one was returned in objection. There were no objections from the audience. Mr. Cornelius read the letter of objection into the record. Mr. Cornelius explained the letter of objection referenced “High Density Residential” and the objector did not want a mobile home park or multi-family structures on the parcel. Mr. Cornelius explained the zoning district of RR1 will allow a maximum of one dwelling unit per acre and does not allow for multi-family structures.

Mr. Cornelius explained the current zoning on the property only allows a site-built or Class “A” mobile home and the applicant has requested to place a Class “B” mobile home on the property. Mr. Cole asked staff to explain the differences between the classes of mobile homes. Mrs. Cassels stated the main differences are a Class “A” mobile home is less than five years old at time of permitting, has a 3:12 roof pitch, a minimum of 20’ at the shortest measured distance, a doublewide, and has the same siding to the ground. A Class “B” mobile home would be any other type mobile home, including a new singlewide mobile home. Mr. Cornelius also stated a mobile home 15 years or older would require a pre-inspection, and nothing older than a 1981 mobile home would be allowed to be brought into the county.

Mrs. Harrison explained she and her husband would like to downsize the space they live in as his health is deteriorating.

Mr. Cole asked Mr. Cornelius if the residence on the parcel would be allowed to remain on the property with the addition of the mobile home. Mr. Cornelius stated the current residence would be required to be removed within 30 days of the Certificate of Occupancy for the new mobile home. Mr. Cole asked Mrs. Harrison if she understood this requirement. Mrs. Harrison stated she understood the requirement and removing the residence would not be a problem.

Mr. Cole made a motion to recommend approval to the Board of County Commissioners of the rezoning from A1 to RR1. Mr. Yoder seconded the motion, and the motion carried.

V2010-0003**Michael Jones – Variance to allow 21’ setback vs. a 25’ setback from the front of the residence to the road.**

Michael Jones, applicant, was present and requested a 21’ setback vs. a 25’ setback on the front of his residence. There were six notices sent. Of the six notices sent, three were returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Cornelius gave a summary of the application and staff report and explained the Sumter County Land Development Code requires the applicant to meet twelve criteria. Mr. Cornelius explained the property is different than the other properties within the area due to the change in elevation from the front to the back of the property. Mr. Cornelius stated he performed a site inspection and found the variance would not be detrimental to the surrounding area.

Mr. Cole asked Mr. Jones if the room addition could be made smaller to meet the setback requirement. Mr. Jones stated he and his wife have medical conditions and would like to place a jacuzzi in the room addition for their medical conditions.

Mr. Cole made a motion to approve the variance to allow a 21' vs. a 25' front setback from the road. Mr. Yoder seconded the motion, and the motion carried.

Mr. Cole made a motion to adjourn at 7:10 P.M. Mr. Berry seconded the motion, and the motion carried.

Larry Story, Chairman
Zoning and Adjustment Board